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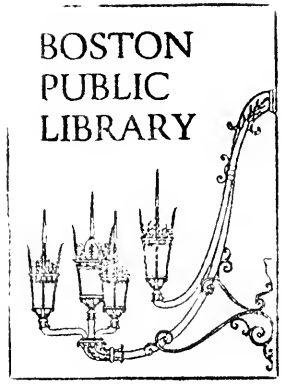
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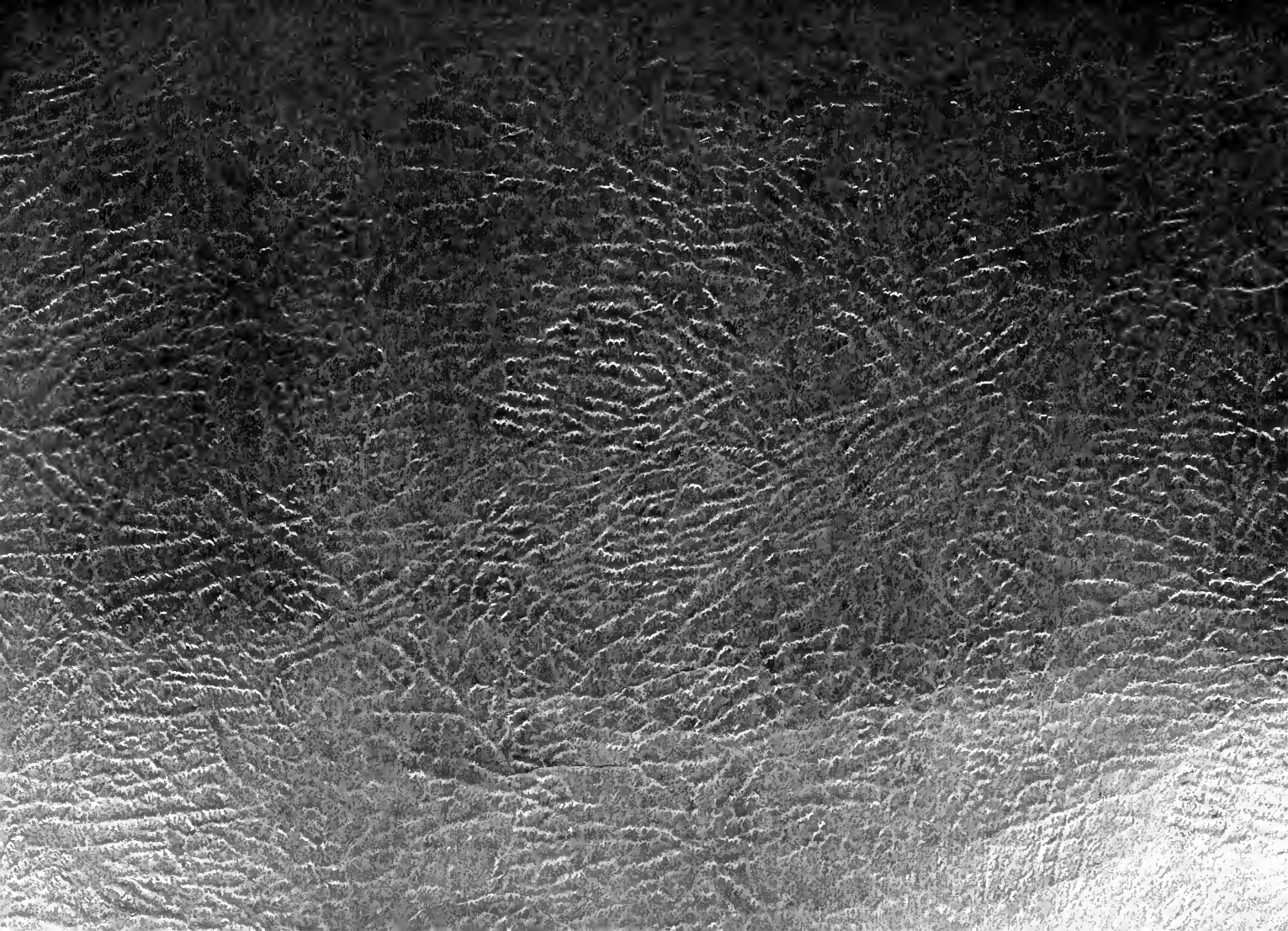

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

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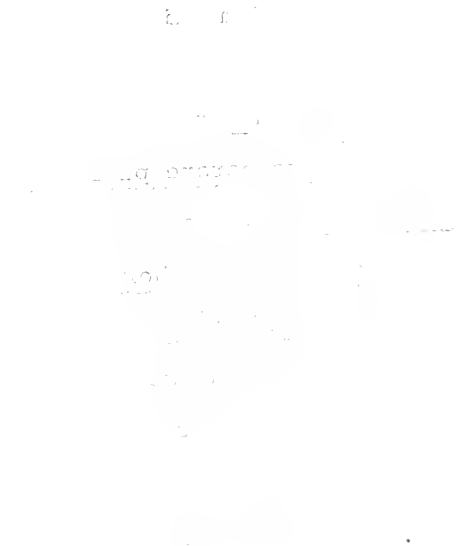
BOSTON WATERFRONT RESIDENTS' ASSOCIATION, INC., ET ALI, Plaintiffs VS. GEORGE ROMNEY, ET ALI., Defendants	CIVIL ACTION NO. No. 72-1157-LC

STIPULATION AND AGREEMENT

WHEREAS, the plaintiffs have made certain claims in their Complaint, Amended Complaint and Second Amended Complaint, and WHEREAS, said plaintiffs and the defendants hereto, without in any way admitting the validity of any of said claims, are desirous of settling and compromising said claims by making and carrying out in good faith the provisions hereof;

NOW THEREFORE, all of the parties to the above entitled action hereby enter into this STIPULATION AND AGREEMENT with respect to the disposition of this action, solely for the purpose of this action, and for no other purpose.

1. Simultaneous with the filing with the Court of this STIPULATION AND AGREEMENT, signed by the attorney for all of the parties, the parties will withdraw any appeals then pending with respect to the action, and the parties shall



execute and file the attached form of order dismissing the action with prejudice upon the Court's approval of this Stipulation and Agreement.

2. Upon the approval of this Stipulation and Agreement by the Court, this Stipulation and Agreement shall have the force and effect of an Order of the Court.

3(a) The filing of this Stipulation and Agreement with the Court will end with prejudice the above captioned action and all claims set forth in the Complaint and the First and Second Amended Complaint.

3(b) The term "plaintiffs" as used in this Stipulation and Agreement shall mean both the corporate plaintiff, Boston Waterfront Residents' Association, Inc. ("BWRA") and all of the individual plaintiffs. Each plaintiff hereby agrees that whenever the plaintiffs are required or allowed to choose, designate, select or take any other action hereunder, such action shall mean only one choice, designation, or selection for all plaintiffs, which shall be taken or made by the then President of BWRA.

4. The Defendant Boston Redevelopment Authority (hereinafter "BRA") shall, within thirty (30) days of the date that this Stipulation and Agreement is approved in writing by the Court, establish a Committee (hereinafter except in paragraph 13, the "Committee") which shall consist of the following:

Eight members shall be persons specifically designated in writing by the plaintiffs as members (among whom may or may not be some of the plaintiffs themselves). Eight members shall be chosen by the BRA from residents of the North End or representatives of North End organizations. The remaining members shall be comprised of one representative designated

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by each of the following organizations and individuals, if they elect to designate a representative after invitation to do so by the BRA: The Sierra Club, the local branch of the League of Women Voters, Harbor Towers Trust, United North End Committee for the Development of the Waterfront, North End Union, North End Businessmen's Association, the New England Aquarium, State Office of Environmental Affairs, the Ausonia Council Knights of Columbus, the Boston Conservation Commission, the Society for the Preservation of New England Antiquities, and the non-voting liaison member from the BRA Reviewing Group.

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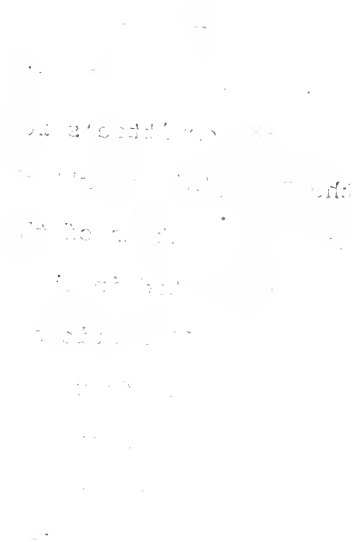
5. The BRA, through its design and planning staff and such other members of its staff as the Director of the BRA will designate, shall conduct a review of certain portions of the Plan as are hereinafter set forth. The members of the BRA staff conducting said review shall be referred to herein as the "BRA Reviewing Group." The BRA shall designate at least one member of the BRA Reviewing Group to act as liaison with the Committee.

6. The Committee shall review those aspects of the Plan as hereinafter designated, and recommend to the BRA Reviewing Group such changes or modifications in the Plan which it deems advisable for the BRA's consideration. Committee recommendations shall be by majority vote, although a minority report may also be submitted. To a reasonable extent the services and certain resources of the BRA shall be available to the Committee to assist it in its duties. Previous studies, reports, and the like prepared by and for the BRA and relating to the aspects



of the Plan under study shall, upon request, be made available to the Committee to assist them in their deliberations.

7. The Committee shall file its report with the BRA Reviewing Group within forty-five (45) days of its organizational meeting, which meeting shall be convened immediately after all members are named and recognized by the BRA.

8. The BRA Reviewing Group shall consider the proposals embodied in the majority and any minority report of the Committee delivered by the Committee to the BRA Reviewing Group. The BRA Reviewing Group shall, within ninety (90) days of its receipt of the Committee's reports, recommend to the Director of the BRA ("Director") such changes and alterations in any aspects or items of the Plan to which the study relates as may be suggested in the Committee's majority or minority report (or any modifications to either made by the BRA Reviewing Group) which, after consideration thereof, the BRA Reviewing Group recommends or concurs in. The BRA Reviewing Group shall simultaneously report in writing its reasons for rejecting any recommendations of the majority and minority reports. The Director shall consider the recommendations of the BRA Reviewing Group and shall also consider the majority and minority reports of the Committee, and thereafter the Director shall elect whether or not to recommend to change or alter any portions of the Plan to which the study relates. The Director shall recommend in writing all changes or modifications to the BRA that he determines require formal adoption by the BRA, and if approved by the BRA, any such changes as may be required

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by HUD Regulations will be submitted for review and approval to the U. S. Department of Housing and Urban Renewal, and to such other authorities for review and/or approval as may be required by law.

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9. While the Committee and the BRA Reviewing Group shall maintain their separate identities and functions, they are encouraged to work with one another during all phases of the work so as to encourage to the fullest extent possible a systematic, interdisciplinary approach to the planning and decision making with respect to the portions of the Plan under study. The BRA Reviewing Group or a representative thereof shall meet at least bi-weekly with the Committee in order to report on progress in performing the work and review required by this Agreement. At such meetings, the BRA Reviewing Group or a representative thereof shall receive from the Committee any recommendations on such further changes or modifications deemed advisable to be submitted by the Committee at that time.

10. The BRA Reviewing Group's written recommendations to the Director shall be made available simultaneously to the Committee and the Director. The Director shall make his written comments on the BRA Reviewing Group's recommendations and the majority and any minority reports of the Committee, if they differ, available to the Committee no later than 30 days from his receipt of the BRA Reviewing Group's recommendations. The Director shall submit to the BRA within 60 days from his submission of written comments to the Committee any changes which the Director recommends and which require BRA Board approval.

11. The Committee's study of certain aspects of the Plan, and its majority and any minority reports shall consider only

the following items: (Reference of parcel designations is to R-77 Map 2 of Exhibit B, dated 4/8/65). The definition of "design controls" referred to in this paragraph shall mean those controls set forth in the headings of "Table of Land Use and Building Requirements" on page 19 of the Plan. (The headings so enumerated in said Table are: Site designation, permitted uses, maximum building height, maximum floor area ratio, minimum parking spaces, vehicular access, and arcades or ground floor setbacks.)

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a) What kind of development should be done in the C-2 Parcel, acknowledging the need to provide low income housing for the elderly in said parcel, including questions as to whether or not any buildings should be demolished (and, if so, which ones); whether there should be any new construction, and if so what new construction and where; what design controls (if any) should be imposed; what kind of financing should be sought and the feasibility of different types of construction depending on the financing reasonably available; what kind of development should be preferred; the schedule of work; what kind of parking facilities should be provided.

b) Design Controls with respect to the development of Parcel A-8, as well as recreational and marina use of adjacent waters, not however including the waters adjacent to Commercial Wharf or Parcel A-7.

c) Design Controls with respect to the development of Parcel D-1.

d) Height and massing only with respect to the development of Parcel A-7.

e) Design Controls with respect to the development of Parcel D-2.

f) Design Controls with respect to the development of Parcel D-10.

g) Design Controls with respect to the development of Parcel A-6.

h) The rehabilitation and development of or demolition of the existing Quincy Market Cold Storage and Warehouse Building, and, if demolition be recommended, the proposed use of the land area so created, as well as the recreational and marina use of adjacent waters.

i) Phase II of Relocated Atlantic Avenue (being that portion of Relocated Atlantic Avenue from State Street north to Commercial Street), it being acknowledged by all parties that New Atlantic Avenue occupies a position of special importance in the Waterfront Project which requires comprehensive planning to minimize harm to the human environment including the study of prudent and feasible alternatives to meet transportation needs in the waterfront area.

The BRA recognizes a need for open space and recreational land, and that an emphasis will be given to the provision of additional open space and recreational uses, as may be indicated by the study set forth herein. The BRA also recognizes the special concern of the

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plaintiffs for the eventual facade treatment of Parcels A-6, A-7, D-2 and D-10. The plaintiffs, in turn, recognize that any eventual judgment on facade treatment is a determination made at a later date when building plans are being finalized and is one that rests solely with the BRA. Taking both considerations into account, the BRA agrees that the plaintiffs may submit their suggestions as to the eventual facade treatment for Parcels A-6, A-7, D-2 and D-10, and the Director agrees to forward these suggestions to the Urban Design Department of the BRA for its consideration at the appropriate time in the design review process.

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With respect to each of the aforesaid items, adequate consideration should be given to: the financial feasibility of electing possible alternatives (accepting that the BRA will use its best effort in obtaining funds necessary to carry out any changes approved by the BRA); to the common desire of avoiding any unnecessary delays in executing the Project; the impact of currently planned improvements and/or any proposed changes or alterations in aspects of the Plan to which the study relates on the human environment and quality of life in the area; and to any legal obligations, or reasonably claimed legal obligations of the BRA that may currently exist with respect to contracts, the Plan or HUD regulations. The BRA's good faith determinations after reasonably complying with the procedures herein set forth shall be final and binding on all the parties.

12. The Committee and the BRA Reviewing Group shall give first priority in their deliberations to the aforesaid

aspects of Parcel C-2 with special emphasis on providing adequate low income housing for the elderly, the nature of which prompts more urgency than the above procedures may allow. The parties agree to expedite their recommendations concerning this parcel to the end that development there may begin at the earliest possible time. Second priority shall be given to the aforesaid aspects of the design of Atlantic Avenue to the same end. Third priority shall be given to the aforesaid aspects of Parcels A-6 and A-7, the parties acknowledging that the BRA is currently engaged in such studies and all parties are desirous of concluding these studies at the earliest possible time.

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13. With respect to the selection of developers for the remaining buildings to be conveyed for rehabilitation in the C-2 Parcel, the BRA shall expand its present Developer Selection Advisory Committee (formerly Tenant Selection Committee) to twelve persons. The expanded Committee will be comprised of three persons from the Waterfront Project Area selected by the Boston Waterfront Residents' Association ("BWRA"), three persons from the North End Community selected by the BRA; three impartial committee members who are currently on the Tenant Selection Committee (Mr. Havey, Fr. Louis Savio, Fr. Frederick Bailey); and three impartial members to be appointed by the Court. If any replacements are required, they shall be selected by the party (BWRA, BRA, or the Court) which selected said original Committee member who is being replaced, in a similar manner as each of the original Committee

members were selected. Persons who have submitted bids for buildings, or who have been previously designated by the BRA to receive buildings, shall be ineligible for election or appointment. After the first meeting of the full twelve member Developer Selection Advisory Committee, said Committee may function even if vacancies occur and are not replaced, six members being a quorum. The Developer Selection Advisory Committee shall function by majority vote and establish such procedures as it elects. It shall be the function of the Developer Selection Advisory Committee to review the applications of prospective owner-developers of residential buildings within the so-called "C-2 Parcel" and to submit to the BRA a list of acceptable bidders equal to at least twice the number of buildings to be awarded. The Developer Selection Advisory Committee must submit its list to the BRA within 45 days of the BRA's submission to the said Committee of the total list of prospective owner-developers submitting proposals.

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In the advisory selection process, the Committee shall assess all proposals using the following guidelines:

1. Proposals which are submitted by community residents who intend to be owner-occupants.

2. Proposals submitted by prospective developers who were or are adversely affected by action undertaken in conjunction with the Waterfront Plan.

3. Proposals which are submitted by prospective developers who are able to provide economic rentals consistent with community objectives.

4. Proposals submitted by prospective developers who are able to carry out the proposed rehabilitation with a financing

program other than Section 312, if Section 312 financing is not available.

5. Proposals submitted by prospective developers who propose joint development approaches which demonstrably meet a greater number of community needs.

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The before-mentioned guidelines are not intended to be exclusive, but may be expanded upon by the Advisory Committee during the selection process.

In the event said list of accepted developers submitted to the BRA by said Committee for any reason does not contain at least twice the number of developers to be chosen, then the BRA need only select one-half the number of developers contained on said list from among the list and may select the remaining number of the developers from bidders not included on said list or bidders included on said list as it elects. The BRA shall give consideration to suggestions by said Committee as to the assignment of specific buildings to developers for reasons enumerated by the Committee. The BRA shall also take into account in the final assignment of buildings the proximity of developer's community ties and interest to the buildings to be rehabilitated. No person who meets the guidelines shall be arbitrarily disqualified or excluded by the Committee in the presentation of its list. This provision shall not limit the Committee in its use of sound discretion and judgment in determing if and to what extent applicants meet the guidelines. An aggrieved applicant may appeal to the BRA Board.

The BRA shall have final authority to select or reject developers in accordance with this Paragraph numbered 13. In the event that the Authority does not award the total number

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of buildings to developers recommended by this Committee, provided that the list submitted includes at least twice the number of suggested developers as there are buildings, then the BRA shall request that the Committee submit, within 10 days, a new list of suggested developers which must include at least twice the number of developers as there are buildings remaining to be awarded. This procedure shall apply and continue until the selection process is completed or the list of eligible developers is exhausted. The Authority's good faith determination in selecting developers after due consideration of the recommendations of the Committee shall be final and binding on all the parties.

14. Until the completion of the individual items to be studied described herein, there shall be no demolition or new construction commenced by the BRA with respect to the said items to be studied, nor binding agreements which would substantially reduce the BRA's ability to make changes in accordance with the recommendations, if adopted, of the Committee or the BRA Reviewing Group, except that the rehabilitation activities currently underway on Merchantile Wharf, the Commercial Block Building and the twelve buildings already awarded on Fulton Street within Parcel C-2 shall proceed without interruption; provided however, that if the time requirements herein for accomplishing certain acts are not complied with by the plaintiffs, the BWRA, or the Committee, and after said time has expired said action has not been taken, then the BRA may proceed with redevelopment thereafter without the necessity of compliance with the procedures herein, unless the BRA has agreed in writing to extend said time pursuant to paragraph

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15 herein. Developer Selection for individual buildings in Parcel C-2 shall be accomplished in accordance with the time requirements of paragraph 13, provided, however, that if the Developer Selection Advisory Committee fails to comply with said time limits, then after said time has expired, the BRA may proceed with and select developers for said buildings without the necessity of compliance with the procedures in paragraph 13.

15. Any and all time limitations contained herein may be enlarged or shortened, or the procedures set forth herein may be modified or amended, upon the unanimous written agreement of the President of the Boston Waterfront Residents' Association, Inc., the Boston Redevelopment Authority Board and upon the written consent of 50% or more of the remaining parties defendant hereto. (For the purpose of the number of "parties defendant", defendants Thuma and Casazza shall be considered as one party, and the defendants Romney, Barry and Richardson shall be considered as one party).

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MEMORANDUM DECEMBER 13, 1973

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TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: DOWNTOWN-WATF FRONT-FANEUIL HALL URBAN RENEWAL AREA
PROJECT NO. MASS. R-77
PROCLAIMER OF MINOR MODIFICATIONS OF URBAN RENEWAL PLAN
DISPOSITION PARCELS A-6, A-7, D-1, C-2b

After carefully considering the recommendation of the BRA reviewing group and studying and taking into consideration the majority and minority reports of the Waterfront Restudy Committee, it is recommended that minor modifications be made to the Renewal Plan. It is felt that these modifications would best reflect the Authority's commitment towards the further establishment of a viable and exciting urban environment.

It is recommended that the Permitted Uses for Parcel A-6 be modified so that housing and supporting uses may be constructed on this site. The Maximum Building Height allowed should be reduced to 150 feet. The present height limitation is 250 feet. The Maximum Floor Area Ratio allowed should be reduced to 6. The Maximum F.A.R. is presently 10. The Ground Floor Setback requirement should be deleted.

It is recommended that the Maximum Building Height for Parcel A-7 should be reduced to 85 feet. The present height limitation is 150 feet. The requirement for Parking should be amended to read "No Open Parking Permitted", and the Ground Floor Setback requirement should be deleted.

It is recommended that Parcel D-1 be amended to include Residential and Institutional as Permitted Uses. The Maximum Building Height should also be amended to 125 feet. The Minimum Parking spaces should be amended by deleting the figure 200. The requirement for Vehicular Access is no longer applicable and should therefore be deleted.

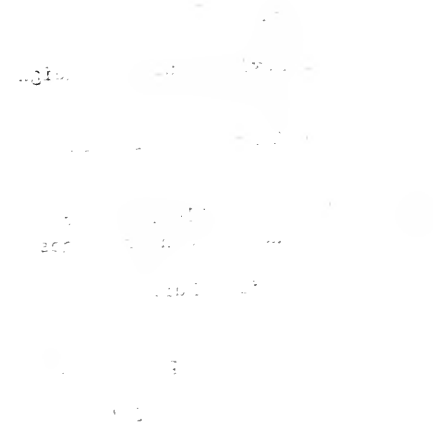
It is further recommended that due to the change of location of Parcel D-1, a new parcel be located in its place, said parcel to be designated Parcel C-2b. Parcel C-2b shall be used exclusively for low and moderate income elderly in the Community.

It is recommended that the Maximum Building Height for Parcel C-2b should be 60 feet and that the Maximum Floor Area Ratio allowed should be 4. The Permitted Uses should be Residential with Ancillary Commercial. The requirement for parking should read "No open parking permitted."

It has been determined that said modifications are minor in nature and do not substantially or materially alter or change the Plan.

An appropriate Resolution is attached.

Attachment



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RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY
RE: MINOR MODIFICATION OF URBAN RENEWAL PLAN
OF THE DOWNTOWN-WATERFRONT-FANEUIL HALL
URBAN RENEWAL AREA PROJECT NO. MASS. R-77

HEREAS, the Urban Renewal Plan for the Downtown-Waterfront-Faneuil Hall Urban enewal Area, Project No. Mass. R-77, was adopted by the Boston Redevelopment uthority on April 24, 1964, and approved by the City Council of the City of oston on June 8, 1964, and requires the development of land in compliance with he regulations and controls of the Plan; and

HEREAS, Section 1101 of said Urban Renewal Plan entitled "Modification", provides hat the Urban Renewal Plan may be modified at any time by the Boston Redevelopment uthority without further approval provided that the proposed modifications do not ubstantially or materially alter or change the Plan; and

HEREAS, Section 503 of said Urban Renewal Plan entitled "Specific Land Use and uilding Requirements", designates Permitted Uses for Parcel A-6 as General Office, nd for Parcel D-1 as General Business; and

HEREAS, said Section 503 designates the Maximum Building Height for Parcel A-6 250 feet; and

HEREAS, said Section 503 designates the Maximum Floor Area Ratio for Parcel A-6 10; and

HEREAS, said Section 503 designates the Ground Floor Setback for Parcel A-6 to 10' in depth along Northern, Southern and Eastern Frontages; and

HEREAS, said Section 503 designates the Maximum Building Height for Parcel A-7 150 feet; and

HEREAS, said Section 503 allows enclosed and open parking spaces for Parcel A-7; and

HEREAS, said Section 503 designates the Ground Floor Setback for Parcel A-7 to be ' in depth along Southern Frontage; and

HEREAS, said Section 503 designates the Maximum Building Height for Parcel D-1 60 feet; and

HEREAS, said Section 503 designates the Minimum Parking Spaces for Parcel D-1 at)-8/; and

HEREAS, said Section 503 designates the Vehicular Access for Parcel D-1 to be from Atlantic Avenue or Richmond Street; and

HEREAS, Parcel D-1 has been relocated and a new Parcel C-2b has been located in its place a logical extension of Parcel C-2; and

HEREAS, the Authority is cognizant of Chapter 781 of the Acts and Resolves of 1972 with pect to minimizing and preventing damage to the environment:

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THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

hat Section 503, Parcel A-6, on Page 19, Permitted Uses, is hereby amended serting before the words "General Office", the words "Residential and General ess".

hat Section 503, Parcel D-1, Page 20, Permitted Uses, is hereby amended by cing before the words "General Business", the word "Residential", and after rds "General Business", the word "Institutional".

hat Section 503, Parcel A-6, on Page 19, Maximum Building Height, is hereby ed by deleting the figure "250", and inserting the figure "150".

hat Section 503, Parcel A-6, on Page 19, Maximum Floor Area Ratio, is hereby ed by deleting the figure "10" and inserting therein the figure "6".

hat the requirements for Arcades or Ground Floor Setbacks, Section 503, l A-6 on Page 19, is hereby deleted.

hat Section 503, Parcel A-7, on Page 19, Maximum Building Height, is hereby ed by deleting the figure "150" and inserting therein the figure "85".

hat Section 503, Parcel A-7, on Page 19, Minimum Parking Spaces, is hereby ed by deleting the figure "3" and inserting therein the figure "1".

hat the requirement, Ground Floor Setbacks, Section 503, Parcel A-7 on Page 19, is y deleted.

hat Section 503, Parcel D-1, on Page 20, Maximum Building Height, is hereby amended by ing the figure "60" and inserting therein the figure "125".

hat Section 503, Parcel D-1, Page 20, Minimum Parking Spaces, is hereby amended by ing the figure "200".

hat the requirement, Vehicular Access, Section 503, Parcel D-1, on Page 20, is hereby d.

hat the location of Parcel D-1 be changed in accordance with the attached Proposed se Plan.

hat the new Parcel C-2b be added in accordance with the attached Proposed Land Use Plan.

hat Section 503, of said Urban Renewal Plan, Page 20, is hereby amended by adding C-2b with the following building requirements:

TED USES	MAXIMUM BLDG. HEIGHT	MAXIMUM FLOOR AREA RATIO	MINIMUM PARKING SPACES
ntial l Business	60 feet	4	8/

hat it is hereby found and determined that the proposed development will not result in icant damage to or impairment of the environment and further, that all practicable and le means and measures have been taken and are being utilized to avoid or minimize damage environment.

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That the proposed modifications are found to be minor modifications which do not
antially or materially alter or change the Plan.

That all other provisions of said Plan not inconsistent herewith be and hereby are
nuing in full force and effect.

That the Director be and hereby is authorized to proclaim by certificate these minor
ications of the Plan all in accordance with the provisions of the Urban Renewal Handbook,
207.1, Circular dated June 3, 1970.

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12/4/73

WATERFRONT RESIDENTS' CONCERNS ON RESTUDY ALTERNATIVES

I. Is a new Atlantic Avenue needed at all?

A. Future traffic loads will more than double current volumes and a road to provide adequate internal circulation is essential.

B. Atlantic Avenue was over-designed in the 1964 plan and the 100-foot roadway can be reduced substantially.

C. Extensive analysis this past summer as part of the Restudy supported the above.

II. Why can't new Atlantic Avenue be depressed?

A. It would cost about $6 million which is expensive relative to the transportation funds Boston will be receiving.

B. Our best guess is that Boston will receive under $10 million a year over the next three years at a maximum and, given all other road projects across the city, we cannot justify a $6 million allocation for a depressed Atlantic Avenue.

C. A grade-level Atlantic Avenue costs in the vicinity of a few hundred thousand dollars.

D. The volume of traffic does not justify this kind of expenditure.

E. A depressed road would attract more traffic because of its design and would congest portions of upper Commercial Street.

F. Ramps required for the depression would effect Commercial Wharf, the Prince Building, and Lewis Wharf in terms of design and noise from vehicles climbing the ramps.

III. Why does BRA favor a Mercantile Street alignment?

A. In terms of traffic movement, any alignment from the water's edge to Mercantile Street can be made to work.[1]

B. We feel that this alignment achieves our land-use objectives for the area.

C. Our major objective is to create a viable residential community. This alignment will not detract from this objective.

D. The Mercantile alignment takes advantage of an existing street thus providing more land for other uses.

IV. Why does BRA have to build any new housing on C-2(b) and D-1?

A. The city needs to attract more people to live in the Downtown area and these sites represent an opportunity to meet that objective.

B. We can deliver housing on this site in a relatively short period.

C. The city needs elderly housing desperately. There are 1,500 elderly in the North End, most of whom need subsidized housing.

D. We are prepared to require that a portion of recent 236 allocations to the Boston area be used for the C-2(b) elderly.

E. We are trying to make Boston a good place to live and striving to retain middle-class families who have been leaving. We can do this in this area. The demand for housing here is great.

F. We respect your feelings regarding this historic area. But we have many competing needs in this city; needs for housing, jobs, tax revenues, etc. We must strike a balance. We feel we can do this sensitively without overburdening the area and while still respecting the important historic character.

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G. Other sites in the North End are under consideration but none of them are certain and all would involve delays.2/

V. Why can't the BRA endorse an imaginative proposal for a historic park?

A. We agree that there is a definite need for more open space.

B. But we feel to create a viable residential area, more housing, and moderate amounts of commercial space are also needed.

C. We have substantially increased the open space while reducing the impact of a 100-foot roadway on the area.

D. Anything that is built in the area adjacent to the park will be designed to sensitively relate to historic buildings and the park.

E. The main purpose of open space is to provide access to the water's edge and that can be achieved with far less than an 8-acre park.

1/ See Attached Chart
2/ Other Sites

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1/

WATERFRONT HOUSING

	ORIGINAL		COMMUNITY		BRA	
	Low/Moderate	Total	Low/Moderate	Total	Low/Moderate	Total
C-2	New Construction No Elderly	400	110 Elderly Site 65 Future Rehab 130 Rehab Next to Tunnel 300 New with Air Rights Over Tunnel (305 without Air Rights Over Tunnel)	605	110 Elderly Site 65 Future Rehab 150 Rehab/New 80 Elderly C-2(b) 405	110 65 150 160 485
D-1		--		--	80 Elderly	125
A-6		--	Not Specific		30	125
Sargent Wharf		250	North End Businessmen Proposal	200		200 app.
TOTAL		650		805 (+A-6)		935

OTHER SITES (Some are still under review)

Tunnel Entrance	-	This site must deal with the technical and economic problems of air rights development and auto noise and pollution.
Coast Guard	-	The design of this site must overcome truck traffic on Commercial Street and the environmental pollution created by Boston Sausage next door. High costs of development will result from demolition and new utility costs. (Not certain of availability)
St. Mary's Church	-	This site has design and land use problems with the Scotch and Sirloin Building on one side and the proximity of the site to the expressway.
Madison Hotel	-	This building may be too large to be a single project for the B.H.A. Design problems of air and noise pollution must be overcome and the conversion of hotel rooms to elderly units may be difficult.

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Waterfront building compromise represents successful citizen participation

By Kenneth D Campbell
Globe Staff

NEWS ANALYSES

Lower buildings, more rehabilitation, more parks, more housing (especially for elderly), less office space, fewer cars, and a more narrow, curving street—that was the magic formula that yesterday turned the BRA from beast into beauty in the eyes of the North End and Waterfront communities.

Veteran critics of the Boston Redevelopment Authority, who had sued the agency in Federal court months ago, were now filled with praise as the BRA Board voted 5-0 for the community-BRA compromise plan for the Waterfront area along Long Wharf, Commercial Wharf, Lewis Wharf and Sargent's Wharf.

There was still scepticism among some 100 residents of the North End and Waterfront areas as to the necessity of a proposed motel and its design. But overall, the citizens who participated in the Waterfront restudy seemed satisfied that citizen participation had worked and had been accepted by the BRA.

That represents extraordinary cooperation between Boston's government and its citizens, particularly in this case where the residents had taken the BRA to Federal court for failing to adhere to Federal guidelines on citizen participation in urban renewal.

Briefly, this is what emerged after months of meetings:

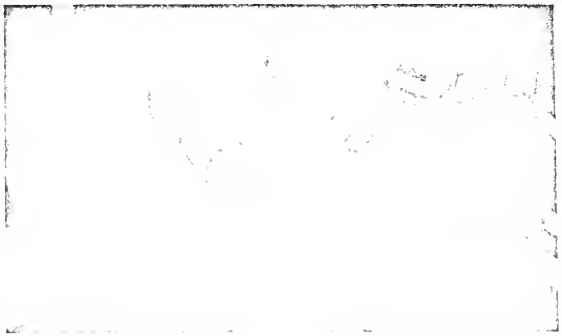
A 250-foot office tower and garage complex at Statee str1 and Atlantic avenue was scrapped in favor of a 150-foot apartment building with 125 units of subsidized housing "and/or office space" with stores on the ground floor. The density of development was reduced

More rehabilitation will be sought along Sargent's wharf.

The waterfront park area from 2.4 to 4.3 acres. ments will be added, for a total of up to 745 housing units (up tto 369 of these apartments will be for the elderly and low-moderate income families, assuming Federal or state subsidies are available.)

A major garage facility was eliminated in favor of one of the three proposed clusters of housing.

Atlantic avenue — proposed in the 1964 plan as a six-lane divided highway swath straight through the area—will be trimmed to a 44-foot, 4 lane, curving street designed more for local traffic than as a major traffic connector between South Station and the North End.



BRA model shows schematic design of new buildings and open space planned for waterfront.

Adriana Gianturco, one of the residents critical of the BRA's 1964 plan and president of the Waterfront Residents Assn., (she has a degree in city planning from the Harvard School of Design), has served as acting chairman of the Waterfront Restudy Committee.

BRA Director Robert T. Kenney "deserves some kind of commendation" for the compromise plan, Ms. Gianturco said. "He showed himself to have more flexibility than I thought he had."

She said, "There's been a lot of talk about how the quality of the staff of the BRA has gone down ever since (former BRA Director) Ed Logue left."

"But I'm a city planner, and it reestablished my confidence in the BRA staff to work with Eli Post, Roy Bishop, Bill Eulias and Steve Beier. It's essential in citizen participation to have a staff group which is essentially sitting on both sides of the fence—doing the BRA's work but responsive to the community.

Ms. Gianturco said she still would like to see in writing Kenney's oral pledge and news release statement that citizen participation would continue in the reviewing and controlling the design of buildings.

She also wanted a binding document repeating the news release pledge that, if subsidies were unavailable for one of the clusters of elderly housing, the area would become part of the waterfront park rather than be developed in other ways.

But overall, she praised the BRA for listening to the needs and complaints of the residents. "This could easily have been another Park Plaza," she commented, referring to the BRA's friction over that issue with local residential groups in Bay Village, the Back Bay and Beacon Hill. City Councilman Frederick C. Langone, who won a City Council skirmish Monday in favor of elderly housing over an 8-acre park, called the new Waterfront plan "a marvellous change."

Kenney publicly complimented the Waterfront Restudy Committee for their cooperation and the quality of their work. "This is to say there was no controversy or that no differences existed. I happen to think that a lack of controversy would have indicated the planning process was not working," said Kenney.

He added that "Their recommendations, which we have accepted in substance, mean that this plan is more valid in many ways than the plan which was conceived in the early 1960s."

City Councilman Joseph Tierney told the BRA Board, "It's wonderful what happened. The only drawback is that it took a court suit to bring this about, and I hope that won't be necessary in the future."

Twin satellites placed in final orbit

CAPE CANAVERAL — Twin military communications satellites were successfully placed in their final orbit early today to provide a world-wide communications network for US Armed Forces.

The satellites within two months will be operational on opposite sides of the world. Each can carry 1300 telephone calls or television signals or printed message without danger of enemy eavesdropping or jamming.

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Boston Redevelopment Authority

Robert T. Kenney / Director

City Hall
Room 900, 1 City Hall Square
Boston, Massachusetts 02201
Telephone (617) 722-4300

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Memorandum

To: Members of the Restudy Committee

From: Robert T. Kenney, BRA Director

Date: December 11, 1973

On September 25, 1973, I forwarded my comments to you as required by the Court Stipulation and Agreement. At that time, I indicated that additional planning and design work would continue in order to further the urban renewal plan, particularly with respect to the alignment of Atlantic Avenue and the specific location of new housing.

Our work has now progressed to the point where we are ready to make changes in the urban renewal plan which reflect our final planning and design recommendations. This matter is scheduled to be presented to the BRA Board at their meeting of December 13, 1973.

My memorandum to the Board is attached for your information. It would provide for and/or allow the following:

Parcel A-6

- height limit: 150 feet (formerly 250 feet) or about 15 stories
- up to 125 units[1] of subsidized housing and/or office space with commercial uses permitted on the first floor
- parking below structure

Parcel A-7

- up to a 350-room motel
- height limit: 85 feet (formerly 150 feet) or about 7 stories
- building set-back to allow views of buildings on Long Wharf

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- limited garage parking on site (major parking requirement to be provided in the Harbor Towers garage)

Parcel D-1

- approximately 125[1] units of subsidized housing with emphasis on the elderly[2]
- height limit: 125 feet or about 12 stories
- institutional uses, such as a museum to be encouraged on the ground floor
- garage parking on-site

Parcel C-2b

- 160[1] units of low- and moderate-rent elderly housing (with funds provided out of recent Federal housing allocation)
- height limit: 60 feet or 6 stories

Sargent's Wharf

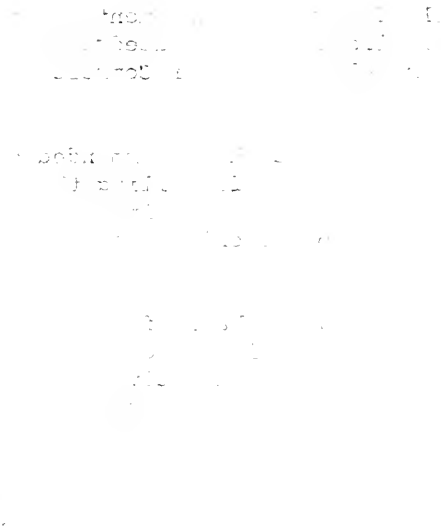
- new construction, possibly in conjunction with rehabilitation of existing buildings
- approximately 225[1] units, with commercial-office uses, parking; and public access to the water's edge, with emphasis on low/moderate or elderly[2]

Parcel C-2

- additional rehabilitation of existing buildings
- possible new garage near tunnel
- 110 units of elderly (by Knights of Columbus)

New Park Area

- 4.3 acre Waterfront Park (double original plan)
- .3 acre neighborhood park



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- 3 acres on Long Wharf
- parks will connect to open space--built and maintained by the future developers of A-6, A-7, D-1, and C-2b (~~approximately~~ ~~acres~~).

Atlantic Avenue

- the roadway will be reduced in width to 44 feet (formerly 80 feet) with parking lanes at key locations
- the avenue will follow an ~~a~~ alignment along relocated existing Mercantile Street (~~related~~ slightly) and join Commercial Avenue near Commercial Wharf Atlantic

It is my deepest wish that the recommended changes to the plan are a first step towards fulfilling the needs of the community for new housing and providing the open space and amenities which will help Bostonians rediscover the rich heritage of our waterfront.

The Restudy has provided the basis for a continuing relationship between the communities affected and the BRA. I hope that the Committee will remain actively involved in the process as we move from planning to implementation. Specific design controls must be prepared for these parcels. Developers must be selected. Subsidies and new monies must be secured. These and many other tasks will be made that much easier if the spirit of cooperation which prevailed throughout the Restudy continues in the future.

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1 The ultimate building design will determine the exact number of housing units to be provided. These figures are approximate.

2 The exact percentage of subsidized units will depend on the availability of Federal and State housing funds.

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